

## **The Volunteers Green.**

### **Its Place in Kirkcaldy's History.**

**The Volunteers Green was once part of a wide area of common ground, stretching back to the granting of Royal Burgh status to Kirkcaldy in 1644. Prior to this Kirkcaldy paid dues towards the upkeep of Dunfermline Abbey.**

**Along with being made a Royal Burgh, King Charles the 1<sup>st</sup> granted 8.172 acres to the town, as an area for recreation, dying and bleaching. Originally, this ground stretched from Thistle and Market Streets to the shoreline. The East and West boundaries were from George Burn Wynd to John Louden's Wynd (then the boundary between Kirkcaldy and Linktown). At this stage it was known as the Common, Commonity, or South Links. Part of this ground was from time to time known as the Volunteers Green, normally when the militia were drilling there.**

**Kirkcaldy is known as the "Lang Toun" as, for many years, it was almost completely contained in an area between the High Street and the shoreline. Until 1970 the Green was surrounded on three sides by housing and business premises. It was one of the most densely populated areas in Kirkcaldy, demonstrated by the**

**continual and considerable stream of birth, marriage and death notices carried by the local press.**

**The Town Council became the trustees for the ground but, as Kirkcaldy expanded, the need for ground to build houses and factories on became more acute. This over the years led to common ground being nibbled away bit by bit. Many battles, if not fought on the Green, were fought over it, with a number only being concluded after recourse to the law. What is not in doubt is that, had these not taken place, the Green at best would be much reduced and, at worst, possibly only a name in history.**

**Prior to linoleum becoming the premium industry in Kirkcaldy, pottery, flax spinning and linen weaving were the principal and oldest forms of employment. Very little is known of what was a cottage industry in its earliest days but by 1706 the linen industry was expanding. This prompted the Town Council to issue a proclamation “granting liberty to the taxmen of the South Links, in all time coming to extract three pennies for each spyndle of yarn, and one penny for each ell of cloth bleached thereon.” This confirms that cloth was woven and yarn spun from at least 1706 and probably earlier than that.**

**In Musselburgh in 1821 the Council tried to sell common land and this led to a court case aimed at preventing such occurrences. The case was lost by the**

**Council and the ruling from this landmark case was noted in Kirkcaldy. Indeed the ruling was ultimately used in challenges to some of the Town Council's actions. In fairness to both Musselburgh and Kirkcaldy they were not alone in this practice. Many Councils had adopted this policy often without objections being raised, but this landmark ruling changed things.**

**In 1836, clothes poles were erected on the Green for the use of those living in Charlotte, Thistle and Rose Streets. There was also a water point in the centre. By this stage the Green was split in two by a burn/ditch which ran down what is now the Arcade and into Sands Road. The smaller western portion was between Burleigh Street and John Louden's Wynd. The eastern part was to all intents and purposes what we see today and had been enclosed by a wall.**

**In 1832 a practice, which would be forbidden today, came into being and continued until 1848. What happened was that "night soil" from the expanding Newton area started to be dumped on the western part of the Green. When the practice was eventually halted that part of the Green had been rendered unfit for its original purpose, having been covered by human excrement for 16 years. A wall had also been built around this area, presumably to contain the contents.**

**In 1846, on the 25<sup>th</sup> June, the Corn Laws were repealed. The celebration of that event clearly demonstrated the Green as being the major outdoor meeting place when significant numbers were involved. As well as being a large area, the Green had the advantage of being within easy walking distance for all those living within the Burgh boundaries. These were the days before Linktown, Pathhead, Sinclairtown and Gallatown were absorbed into Kirkcaldy. Some years later the building of the Corn Exchange, close to the Green, created a substantial indoor meeting place for large gatherings and entertainments.**

**The Corn Laws were designed to keep grain prices high to favour domestic producers. They also blocked the importing of cheap grain, simply by forbidding importation below a set price. This had the effect of enhancing the profits and political power associated with land ownership, but conversely raised food prices and the cost of living for the general public. It hampered growth in other areas, for example manufacturing, as food prices were reducing disposable income. It was for this reason that many Kirkcaldy merchants and manufacturers gave financial support to the “Anti-Corn Law League.”**

**Friday, the 10<sup>th</sup> July 1846, was, according to the Fifeshire Journal of the 16<sup>th</sup>, “a general holiday in Kirkcaldy with the shops closed and public works**

stopt (stopped) in order to celebrate the principle of cheap food. A procession had been agreed on and arrangements made for the different bodies that were to walk to meet at the Volunteers Green at 11.00am. The morning was cloudy and threatened rain but by noon, the sun dispelled the clouds and the day proved delightful. When the various bodies had assembled, about 12 o'clock the whole moved off to the music of two instrumental bands: and when extended in line, stretched for three quarters of a mile and was studded with sixty banners floating in the breeze, presenting a grand and imposing spectacle. About 1600 marched in regular rank and the irregular pedestrians young and old could not have numbered less than 9000. The vessels in the harbour had all their colours flying, and the brig "Adam Smith" the property of Messrs Lockhart, was gaily decked all over her rigging with flags and streamers waving in the wind. At the topmast was a splendid new flag with the motto "Adam Smith the founder of free trade." A salute from her gun was fired as the procession passed the harbour head."

Many groups and bodies were represented in the procession; bleachers, weavers, potters, iron workers and bakers, were some of the occupations represented. Mr Landale's bleachers from Lochtyfield arrived with a piper at their head to great applause.

**“At Dysart in the evening, although the night was not quite dark, a display of fireworks, with rockets shooting up to a great height took place. These and other pyrotechnical exhibitions had a fine effect.”**

**1854 saw a challenge regarding loss of common ground taking place. Mr Heggie, a mill owner and dyer, commenced a legal challenge to try and prevent toilets being built. He had a business in the area, lived in the area, and was the owner of a number of houses in the immediate area which he rented out (his family name lives on in Heggies Wynd). He had strong beliefs that there should be no buildings erected on the Green as its prime purpose was for recreation, bleaching and dyeing, and nothing else. He objected to the Council’s plan to build a “public privy” in the south west corner of the Green. He took the Council to court and, in this instance, the Sheriff found for the Town Council and ultimately a privy was born!**

**The Fife Herald of the 28<sup>th</sup> August 1873 advertised a business opportunity few could refuse. It was also one which many householders would wish to have situated close to their homes. The advertisement in question was for the sale of a manure works in Kirkcaldy situated on the Sands Road and adjoining the Volunteers Green. “All is in excellent order with a horizontal steam engine and boiler, bone mill, dissolving tanks, cart and steelyard, which would offer an excellent opening to a person of energy and**

enterprise, a good trade connection having been formed by the present proprietor, who is retiring from business." Offers were to be received by the 20<sup>th</sup> September.

The Fifeshire Advertiser of the 16<sup>th</sup> October 1875 carried an advert for a company which had been founded in 1869 but went on to become one of international renown for design, elegance and quality. The Company had two outlets in the vicinity. In Rose Street, curtains, fabrics, carpets and floor coverings were offered for sale. In the Volunteers Green Works, furniture was available for the drawing room, dining room, hall, library, bedroom and parlour. The manufacture of billiard rooms and tables was also advertised. The name of the firm - Alexander H. McIntosh.

An article worth reading, if only for the prose alone, was published by the Fife Herald on the 3<sup>rd</sup> July 1879 under the heading "Shameful Scene" - "On Tuesday evening two working lads fell out in Volunteers Green, and immediately commenced to pummel each other with the utmost fierceness. A number of women attempted to separate the combatants, but the fun was deemed too good to be spoilt - a number of men urging the boys to "wire in." Hundreds of all ages gathered round to view the "melee". Till the police being sent for spoilt the sport by separating the

**outrageous pair, whom they smilingly allowed to walk off”.**

**The years between 1878 and 1882 saw another legal challenge which, almost unbelievably, went as far as the House of Lords. The story is worthy of its own narrative but a summary of the events is given below.**

**When the Town Councillors and Police Commissioners resolved to erect stables and a Fire Station for the now expanded town they could hardly have imagined their choice of location could bring such consequences, worry, and cost to their door. They had two choices and decided on the waste ground near the Volunteers Green. This in effect was the western part of the Green which was rendered unfit for its original purpose, thanks to the dumping of excrement. It had become a dumping ground for stones and all manner of rubbish, often of the most unsavoury description. Whatever else it was fit for, it was certainly not for recreation, bleaching and dyeing.**

**In fairness, the Council did not set out to deliberately take away the public right to this piece of ground but had the opinion of Counsel that they had the power to use the ground for the building of stables for their horses. It transpired that the opinion was worthless and incorrect, leading to the celebrated legal battle. They had advertised in the Press for funding for the venture and also invited tenders for the work.**

**Although there were some slight indications of opposition nothing was said or done. However, when the walls were some four feet high, a notice that Interdict was being applied for became known. It was served on the Council on the 4<sup>th</sup> May 1878. The Interdict was applied for by a James Graham who was a dyer. The assumption would be that Mr Graham was a businessman but it transpires that he was, in fact, a journeyman dyer in the employment of Mr Heggie, he of the 1854 “privy” fame.**

**The case eventually came before the Court of Session and the Lord Ordinary decided, after a long Proof and a huge number of witnesses, that the land in question was part of the land which the Council “were bound to keep all time free and open for the use, enjoyment and recreation of the inhabitants, granting the Interdict on the 13<sup>th</sup> January 1879.” The case was appealed to the Inner House and meantime the building was completed.**

**On the 18<sup>th</sup> June 1879, the verdict of the appeal being given by the Lords of the Second Division, “interdicted the Council from erecting stables or any buildings or erections of any kind on that portion of the South Links which was in dispute.”**

**When this judgement was given, it was too late to enforce the Interdict as the buildings were complete. The Council offered another piece of land rather than**

see their stables removed. The Lords of the Second Division also appeared anxious to prevent the buildings being destroyed and therefore for some months refused to give Extract of their Judgement. Eventually they did give the Extract on 30<sup>th</sup> October 1879, when it was made clear that it could not be used retrospectively.

Graham immediately raised an action for “Declarator and Removal” before Lord Adam, who gave a decree in the terms craved. However, on a reclaiming note in January 1881, the Lords of the Second Division unanimously reversed Lord Adam’s decision and held that the proposal of the Council to substitute another piece of ground (larger than that lost) as a reasonable proposition and assoilzied the Council on condition of the ground being granted. From this decision an appeal was taken to the House of Lords.

The appeal was heard on the 6<sup>th</sup> July before the Lord Chancellor and Lords Blackburn, O’Hagan, Watson and Bramwell. The decision stood and the stables were saved. There could be no further appeal.

The Fifeshire Advertiser commented that “It was a matter of general satisfaction that the stables are to stand, and that the Court has allowed the other piece of ground to be substituted for the site of the stables. The costs however fall to be paid by the town, but we are glad to learn that this will not add to the rates.

**Although accepting the right of the public to have the whole area of the links free from buildings, the Court of Session were justified in refusing to enforce the strict legal right of Mr Graham. The judgement showed that the interests of the community were on both sides of the litigation, and to grant removal of the buildings would be of less advantage to the community than to accept the ground offered and leave the buildings to stand. It is unlikely that James Graham, who has vindicated the public right in this matter, will be satisfied with the decision, but his utmost effort has been put forth now, and he will probably vanish from public life in as sudden a manner as he appeared on the scene. Of one thing we may be sure, is that in our time at least, the representatives of the people will fight shy of building stables or anything else on ground to which they have not the very clearest evidence of right”.**

**There were suggestions in the Press that many believed that Graham was a “man of straw” and was acting on behalf on Mr Heggie. It is certainly difficult to believe that a journeyman dyer had the financial wherewithal to sustain the litigations. His evidence certainly came over as a man who believed in what he was doing and felt strongly about the loss of common ground. It has to be said to his credit that he re-affirmed the public right to the area and possibly/**

probably prevented any further building on what remains of the Green.

The substitute ground remains an open space to this day. It is sited just to the west of the Nicol Street car park, complete with a plaque explaining its origins.

From 1859 the Green became for all times known only as the Volunteers Green, when an act of Parliament was passed to set up volunteer battalions and Kirkcaldy played its part. On the 1<sup>st</sup> December that year, a large and influential meeting was held with Provost Birrell in the chair. The purpose was the establishing of a volunteer corps. The hall was packed and large numbers were unable to gain admittance. Provost Birrell opened the meeting with "All sects and parties were at one when the interests of the country were concerned, and he believed that this movement had for its object the safety and independence of the country. They had long trusted in the invincibility of their army and navy; but it was as well that they should be prepared to resist the demon of war should it be let loose on their country, and if our country should be threatened by war, they would arm themselves and their sons, and go forth in the strength of their right arms - trusting in the God of battles, vowing to defend their country while they lived; determined that this land should never bow to the oppressor or invader, but should as it has always been, great, glorious and free (loud applause)."

The platform was populated by many of the town's "great and good", including Colonel Ferguson, James Normand, Robert Hutchison and Gilbert Heron amongst others. Kirkcaldy's volunteers became part of the 1<sup>st</sup> Fife Royal Garrison Artillery Volunteers. From 1850 until 1901 the volunteers drilled on the Green, dutifully reading their local papers every Saturday to establish each evening's activities and the names of the officers on duty in the following week. Being on the coast Kirkcaldy had an artillery brigade with was augmented by a rifle brigade. A battery of four cannons was sited close to the water but sadly, with no sea wall, they often fell victim to stormy seas. The volunteers moved away in 1901. Two of the cannons, although old and obsolete, had to be sent back to the War Office. The two others were in the Beveridge Park for a spell but it is believed they were used for scrap in the 2<sup>nd</sup> World War.

The Fife Free Press of Saturday the 5<sup>th</sup> December 1903 carried a report on a ceremony held earlier in the week.

## **Kirkcaldy Corporation's Big Guns**

### **Gift From Brigade Officers**

**“An interesting ceremony took place in the Town House, Kirkcaldy on Thursday evening, when the four big guns, presented by the officers of the Fife Brigade Artillery Volunteers to the Corporation, were formally handed over to Provost Barnet. The guns, which are 32 pounders, smooth bore and mounted on common standing garrison carriages, have been placed in the Beveridge Public Park. The guns were set down at the battery on the Sands Road at the commencement of the volunteer movement, forty years ago, and have been used by the local volunteers for practice until recently, when these old batteries were done away with. On this interesting occasion the officers and the Town Council were entertained to a cake and wine banquet by Provost Barnet, who occupied the chair, supported on the right by Colonel Johnson, Bailie Dishart and Lieutenant-Colonel Herriot, and on the left by Lieutenant-Colonel Storrar, Bailie Peebles, Bailie Bennet, and Major Reid.**

**Among those present were Captain Main, Captain Stocks, Lieutenant Young, Lieutenant Sutherland, Surgeon Captain Laing, Dean of Guild Syme, Councillor P. Herd, Councillor R.C. Lockhart, Councillor J. Gourlay, Councillor J. Cook, Councillor James F. Beveridge, Councillor G. Fergusson and Mr W.L.Macindoe the Town Clerk.”**

**After a significant number of toasts to almost all the members of the Royal Family, Colonel Johnston rose to**

He speak about the “pleasant duty which devolved to him that evening”. He had written to the Town Clerk in May asking if the Council would accept the proposal of gifting four of the guns to the Town. He was delighted that they had accepted and especially at the decision to place them in the Beveridge Park. He hoped that the sight of the guns might stir the military feelings of the youth of Kirkcaldy. He went on to say that “the guns might not be of much intrinsic value, but they were not without interest. These guns spoke of a time when the terrible experiences of the Crimean War and the still greater horrors of the Indian Mutiny were fresh in men’s minds, when it was found that the dark thunder-cloud of war seemed to be hanging over our own shores ready at any moment to burst and spread desolation. At that time a thrill went through the nation and a new Army sprang into being – and one that had not been reckoned upon. From all ranks and classes men came forward to join what was new then – the Volunteer force. The moral effect had gone on from that day to this.”

The Colonel pointed out that Provost Barnet was the fourth Provost in a row to be identified with the Volunteer movement. The others were Provosts Stocks, Hutchison and Tait.

“He had now to formally hand over the guns, and he trusted the young of Kirkcaldy would take a lesson from those who had gone before them, and be ready,

**should the Country call upon them, to come forward and take the place their forefathers had taken.”**

**The Provost rose to thank Colonel Johnston and the officers for their kind and generous gift. Provost Barnet emphasised that no one should consider that the officers had simply wanted rid of the guns by gifting them to the town. They should think again, as he pointed out, that the Officers had had to pay the War Office to secure the guns. This was a gift almost in remembrance of the local men who had served the Town and Country so well. The Provost hoped that their descendants would in one hundred years look on these guns in the same way as the present generation looked on “Mons Meg”.**

**Lieutenant Colonel Storrar rose to propose a toast to “The Town Council of Kirkcaldy”. Before doing so, he gave a brief history of both the Artillery and Rifle Brigades. His address included:-**

**“Like the men who worked them in earlier times, the guns had done good service, and although both men and guns were now out of date – he hoped that, for many years to come, old gunners would gather round them from time to time and fight their bloodless battles once again”.**

**Lieutenant Colonel Storrar went on to say that he had not joined at the outset but two years after the**

formation and had been associated with them ever since.

“There were none of the old brigade now serving, and if the muster roll was called tonight few would answer to their names. Some were still alive, but the greater proportion of those who formed the original companies, had gone over to the majority, and that number had been rapidly added to year by year.”

He made particular mention of three who had died in recent months, Provost Tait, Chief Constable Bremner and David Bell.

He noted in his opinion “that as a rule, the men who were, or had been good volunteers, had proved themselves equally good citizens by doing more than their fair share of public work.”

He then recollected the names of the early officers in the Artillery and Rifle Brigades who proudly wore either a blue tunic or a scarlet one. The names read like a roll call of distinguished local men. They included Major Tait, Captain Bremner, John P. Aytoun, David Laing, John T. Stocks, W.R. Spears, Dr Dewar, Dr Morrison, James Shepherd, John Tait and Michael B. Nairn. He added that from one company of artillery and one of rifles, they could now boast five strong companies.

**He concluded with “Individually it was a painful thing to look back and realise how many of our old comrades had fallen out along the way, but happily that was only individually. As a body the Kirkcaldy Volunteers could look back with pleasure upon a uniformly successful advance”.**

**(It can be seen that sources suggest two different fates to the guns. One has only two going to the Beveridge Park while the above indicates four guns were already in place in the park.)**

**In November 1936, wasting time and money in pursuit of the law was demonstrated by an incident on the Green. John B. Woodcock, electrician, Inglewood, Smeaton Road, pled guilty to depositing a quantity of wood shavings on the Green. In his defence he indicated that he had been delivering them to a**

merchant who was not at home and so left them on the Green. However, some children scattered them and later the Police approached his son. The son immediately offered to remove them. When he arrived he found that they had been set on fire by a Burgh Official. Mr Woodcock thought this was more dangerous than leaving them lying, as there were two garages nearby. Bailie Collyer, shaking his head, admonished the accused.

Between 1939/1945 the area was used to accommodate air raid shelters, not just one but three. Each could accommodate up to 50 persons and they were in place just before war was declared. Before hostilities had commenced Alexander Birrell, Concrete Specialist of Gallatown, was quickly off the mark, advertising the building of shelters for up to 1500 people. Orders once booked were to be built in strict rotation.

Wm. Gillies and Sons, 292 - 298 High Street were not far behind, offering suitable beds for fire-watching and air raid shelter use.

The Town Council had ordered 100 steel air raid shelters and in May 1940 advertised, via the Fife Free Press, for offers to add a concrete lining to each. The specifications and schedule of quantities were available from the Town Clerk, to whom offers should be made by the 5<sup>th</sup> June.

**The Fife Free Press on the 16<sup>th</sup> November 1946, commented on the work being undertaken by the contractor to demolish the shelters. The article mentioned that “it was only on rare occasions that they had been used and that many in private gardens had been converted into garden huts, with some of the work being very tasteful. Those built in parks and open spaces are taking some demolishing judging by the explosions one hears.”**

**The Dundee Courier of the 28<sup>th</sup> June 1955 carried a story showing that the Green was still being used as a meeting place, when Kirkcaldy Cleansing and Roads Department’s men held a meeting. “The men met on Volunteers’ Green, a large space normally used for clothes drying, to hear their organiser Mr Pat Trainer, Glasgow, National Union of General and Municipal Workers, who stood on a kitchen chair. He urged the men to return to work pending negotiations, saying that their dissatisfaction with pay awards was being handled by the Union”. Despite his best efforts the men voted to continue the strike. “The men claimed that 80 Cleansing Department and 40 Roads Department staff were out on strike with only 10 men working. The gravediggers who attended the meeting returned to work. A loudspeaker van toured the streets telling people to take in their unemptied dustbins. Some traders used their own transport to take their rubbish to the coup.**

**The Leven Mail of the 9<sup>th</sup> April 1958 made comment on an added attraction at the Links Market. The Pipes and Drums of the 1<sup>st</sup> Battalion of the Black Watch would be present. They will be parading twice through the market, once during the afternoon and then in the evening, but will also play selections on Volunteers Green. This was the first market to be held with the new multi-storey flats and surrounding lay-out completed. The value of the stock on display was put for the first time at over a million pounds, with some machines being valued at £10,000.**

**The rundown dwellings in the area surrounding the Green were swept away in the 1970s. The Green lay forlorn and little used, a far cry from days gone by when volunteers drilled, quoits were played, open air theatres and circuses gave performances, bands rehearsed, children played and housewives were hard at work with the laundry.**

### **Modern Battles on the Green**

**In relatively modern times the Green saw two fierce and lengthy battles which were unconnected with anything military. Both took place in the 1970s with one launched by a private consortium, the other almost unbelievably by Kirkcaldy Town Council.**

**The Council episode came first after the old and rundown dwellings in Charlotte, Cowan, Thistle and Rose Streets were demolished. This meant that there**

was no longer a need for the drying green or the clothes poles which had stood since 1836. Perhaps unwisely the Council created a breach in the surrounding wall to allow Links Market vehicles to park. This had a knock on effect which will be covered later. The Council plan was to build a multi-storey car park on a significant part of the Green. The cost would be £250,000 and provide space for 400 cars at a cost of £625 per space. This idea brought immediate objections and outrage from many groups and individuals. There was a steely determination to protect what remained of the original common ground. The plan would have resulted in the loss of 1120 square metres, leaving only 2700 for public use. Dr Patrick Edmunds was elected Chair of the protest body whose aim was to preserve and protect this valuable area. The fight was long and extensive and from it was born Kirkcaldy Civic Society. Plans were drawn up to suggest an alternative site for the car park along with elaborate ideas for landscaping the Green and creating a little oasis of peace. The protests rumbled on and in 1973, on June 15<sup>th</sup>, a petition containing 1842 signatures was handed in to the Town Council. Nonetheless, the Council were determined to press on with their plans and matters went as far as a public enquiry.

The Council argued that the Green was no longer used for its original charter purposes. They fully intended

**to press on and progress their plans. However, they were aware that an Act of Dispersion would be required to change the purpose of the site. It would seem that the memory of their last disastrous foray into building on common ground, nearly a hundred years previously, focussed their minds.**

**The Council decided that as they were not certain of winning and could be embroiled in expensive legal costs the idea should be abandoned.**

**The efforts of the protesters won the day and not a square metre of ground was lost. The car park was built on its present site and the battle of public versus the Council was over.**

**We now come to the second skirmish, where this time Kirkcaldy Town Council/District Council fought to protect the Green. In 1973, Kirkcaldy Town Council had granted a three year licence to a former garage owner to operate retail units from the buildings vacated by the Fifeshire Posting Company in Balfour Place. In essence, this meant stalls and traders from all over Scotland were selling from the premises twice per week (Tuesdays and Fridays). By 1975 the licence had been transferred to Spook Erections without the consent of the Council. Spook Erections were the representatives of the traders. On Tuesday, the 4<sup>th</sup> May 1975, traders arrived to find the doors closed fast and the locks changed. The traders had not been**

**notified and had no reason to suspect the closing of the premises to them so were allowed into the building to collect their belongings. Then they immediately set up a market in the car park. Douglas Nelson, the Director of Planning, allowed the market to proceed that day but made it clear no further markets would be allowed on that site.**

**Earlier, Spook had noted the Volunteers Green as a potential site especially as the Council had created the gap in the wall which was mentioned above. Before the Council knew where they were, on the 7<sup>th</sup> May, the traders had set up a market on the Green. The Council reacted through Henry McLeish, then a Councillor and Chairman of the Planning Committee, (He rose to become First Minister in the Scottish Parliament) who sought a court order to ban the market from the Green. On Tuesday, the 11<sup>th</sup> May, Spook Erection's employees arrived early and using their cars blocked the entry to the Green. They only moved to allow the arriving traders in and then blocked the entrance again. Humour was found, when Council employees arrived in a van to cut the grass. With aplomb, the workmen lifted their mowers over the wall and set about cutting the grass by manoeuvring between the stalls and traders. What was now in effect an illegal market (Court Order) was being held three times per week. Meetings between the parties failed to find a solution and the efforts to find an alternative site**

**proved unsuccessful. The Court Order was having no effect and the grass was being turned into a quagmire. It seemed to be a stalemate and, to add insult to the Council's injury, a Spook Erection flag was hoisted on market days.**

**As the Council struggled to secure an alternative site (the Ice Rink, Nairn's former site in Nairn Street, along with the harbour were mooted) they called on the Government to step in. This led to a public enquiry being set up in December 1976. This meant that the market could continue until a decision was reached. At the enquiry Spook appealed against the Court Order and the Council argued that the site was unsuitable for a market as there was no hygiene control, plus a market was against the original terms /spirit of the Charter. It took until July the following year until the decision came. It was that the Green was no longer to be used as a market site. An appeal was lodged but it was dismissed by the Secretary of State for Scotland.**

**It was the established traders who were the main objectors to the market given the high rates and other costs they had to sustain. In general the public took a different view in that "a bargain is a bargain" and that was what the market offered.**

**Once again the fledgling Kirkcaldy Civic Society had been involved in the fight. In May 1976, the then**

**Chairman Rodger Strugnell, commented “that on one of Kirkcaldy’s most treasured possessions, this street market is tantamount to sacrilege”.**

**In 1979, there was an attempt to restart the market when traders set up stalls on the High Street. The Police acted promptly, the traders were dispersed, but not before nine arrests were made. Once again the fledgling Kirkcaldy Civic Society had been involved in the fight.**

### **Epilogue**

**The car park went to an alternative site and the market simply went. In 1993, the plans which first saw the light of day twenty years previously came to pass. Now the Green is landscaped with shrubs, grass and seating, and is once again fully enclosed by a combination of its walls and self closing gates. In the centre is a flagpole and a plaque which gives a short history of the area.**

**It is a fine place to sit and reflect on the near 400 year history of one of the most famous and best known areas in Kirkcaldy and how perhaps it could have ended so differently.**